

PUBLIC NOTICE

File Number: NRS 15.293

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Timothy j. Aydt

Marathon Petroleum Company, LP

539 South Main Street Findlay, OH 45840

419-421-4422

LOCATION: Marathon Petroleum, Co., Cheatham Lake Dock, Davidson County (Lat: 36.1859)

Long: -86.8316).

PROJECT DESCRIPTION: <u>Impact 1</u>: Latitude: 36.1859 Longitude: -86.8316

Cheatham Lake

PROJECT DESCRIPTION: The applicant proposes to construct a floating dock and pedestrian bridge access on mooring piles driven into the Cumberland River bed at river mile 185.5 adjacent to the existing petroleum terminal facility. The dock would consist of an operator's building, piping connections and associated equipment anchored by guide piles. Additional piles will be driven both immediately up and downstream for barge berthing. River bank clearing would be performed with hand tools and be the minimum necessary to install a pedestrian walkway.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: The Cheatham Lake Watershed is located in Middle Tennessee and includes parts of Cheatham, Davidson, Robertson, Rutherford, Sumner and Williamson counties. It is approximately 647 square miles and drains to the Cumberland River. - See more at: http://tn.gov/environment/article/wr-ws-cheatham-lake-watershed#sthash.YkqKfs8G.dpuf.

The Cumberland River (<u>TN05130103001_1000</u>) is in the Outer Nashville Basin 71h. The channel dimensions are as follows: channel bottom width >100', channel top width >100', water depth 15', and bank height (40'). Typical substrate in this section is comprised of mud, silt and gravel.

Cumberland River was assessed in 2012. It is supporting its designated uses. Therefore the stream is available for additional impacts to habitat.

Stream Name / ID #: Cumberland River (<u>TN05130103001_1000</u>)

Ecoregion: Outer Nashville Basin 71h

Stream Dimension: Channel bottom width >100'

Chanel top width >100' Water depth ~15'

Bank height 40-50' vertical rock

Substrate: mud, silt and gravel

Fish and aquatic life
Recreation
Industrial water supply
Irrigation
Livestock watering & wildlife
Fully supporting
Fully supporting
Fully supporting
Fully supporting

This stream is available for additional impacts to habitat.

Assessment Date: 2012

PERMIT COORDINATOR: Brian Canada

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation Division of Water Resources, Natural Resources Unit William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 11th Floor Nashville, Tennessee 37243













